



Docket No.: 21425 US (C038435/0185658)

REPLY UNDER
37 CFR § 1.116

EXPEDITED PROCEDURE

TECHNOLOGY CENTER 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :)

Tatsuo HOSHINO *et al.*)

Serial No.: 10/528,844)

Filed: February 3, 2006)

For: **DNA ENCODING FLAVIN-ADENINE-
DINUCLEOTIDE-DEPENDENT-D-
ERYTHRONATE-4-PHOSPHATE-
DEHYDROGENASE, PDXR, AND
MICROBIAL PRODUCTION OF
VITAMIN B₆**)

Examiner: I.H. Chowdhury

Art Unit: 1652

New York, New York
April 11, 2008

RESPONSE TO OFFICE ACTION UNDER 37 CFR § 1.116
AND PETITION FOR EXTENSION OF TIME

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed October 12, 2007, which set a three-month shortened statutory period for response. A three-month extension of time to respond to the Office Action is hereby requested. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before April 14,

Application No.: 10/528,844
Amendment Dated: April 11, 2008
Reply to Office Action Dated: October 12, 2007

2007, because April 12 falls on a Saturday. 37 CFR §§ 1.7, 1.8 and 1.136. Enclosed is a check in the amount of \$1050.00 to cover the fee for the extension of time. 37 CFR § 1.17. Please charge any required extension-of-time fees, or any other fees, not otherwise paid by check to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Because the Office Action made the rejection of the pending claims final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth in MPEP § 714.13 (8th Ed., Rev. 5, Aug. 2006, pp. 700-261 to 700-262) respectfully is solicited.

We further note that submitted concurrently herewith is a Notice of Appeal, a copy of which is provided for the Examiner's convenience.

Please amend the application as follows:

AMENDMENTS TO THE SPECIFICATION: NONE.

AMENDMENTS TO THE CLAIMS: begins on page 3 of this paper.

REMARKS begin on page 5 of this paper.